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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DENNISE CASTRO-LOPEZ,
DESTANEY WALKER, AND
BRYAN SAHAGUN,

Defendants.

CASE NO. 1:20-CR-00062-JLT-KSO

STIPULATION TO VACATE TRIAL DATE, SET
A STATUS CONFERENCE DATE AND
EXCLUDE TIME PERIODS UNDER SPEEDY
TRIAL ACT; ORDER

CURRENT DATE: July 9, 2024
TIME: 8:30 a.m.
COURT: Hon. Jennifer L. Thurston

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendants, by and through defendants' counsel of record, hereby stipulate as follows:

1. By previous order this matter was set for jury trial on July 9, 2024.
2. By this stipulation, parties now move to vacate the jury trial, set a status conference on July 31, 2024 and exclude time from July 9, 2024 to July 31, 2024 under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes investigative reports, photographs, cell phone records, and related documents in electronic form, which are voluminous in nature. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) Defense counsel have been provided with a plea agreement and negotiations are ongoing. Additional time is needed for consideration of the plea offers and further negotiations.

c) Counsel for defendant Walker is currently in a long cause jury trial before Judge Drozd and has another jury trial set that will conflict with the trial date currently set in this matter.

d) Counsel for defendants believe that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of July 9, 2024 and July 31, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: June 7, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ LAUREL J. MONTOYA
LAUREL J. MONTOYA
Assistant United States Attorney

Dated: June 7, 2024

/s/ KEVIN P. ROONEY
KEVIN P. ROONEY
Counsel for Defendant
Dennise Castro-Lopez

1 Dated: June 7, 2024

/s/ MONICA BERMUDEZ
MONICA BERMUDEZ
Counsel for Defendant
Bryan Sahagun

4 Dated: June 7, 2024

/s/ ANTHONY P. CAPOZZI
ANTHONY P. CAPOZZI
Counsel for Defendant
Destaney Walker

8 **FINDINGS AND ORDER**


9 IT IS SO FOUND that the ends of justice are served by requested continuance.

10 IT IS FURTHER FOUND that the ends of justice served by taking such action outweigh the best
11 interest of the public and the defendant in a speedy trial and that time is deemed excluded pursuant to 18
12 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].

13 IT IS ORDERED that the jury trial set for July 9, 2024 is vacated, a status conference is set for
14 July 31, 2024 at 1:00pm before Judge Oberto, and that the time period of July 9, 2024 to and through
15 July 31, 2024 be excluded from the time in which trial must commence.

16 IT IS SO ORDERED.

17 DATED: June 13, 2024



THE HONORABLE JENNIFER L. THURSTON
UNITED STATES DISTRICT JUDGE